

3/015/001

3809
U67-N91-14
U67-N92-01
(U-067)

Moab District
San Rafael Resource Area
900 North 700 East
Price, Utah 84501

RECEIVED

MAY 1 1992

MAY 04 1992

Mr. Neal Mortensen
Western Clay Company
508 East Center
Aurora, Utah 84620

DIVISION OF
OIL GAS & MINING

Dear Mr. Mortensen:

We have received and reviewed your amendment for notice U67-N92-01 and have no problem with the proposed change. However, several plants of the San Rafael cactus, which is a listed species, were found on the property. We will begin a Section 7 consultation with U. S. Fish and Wildlife Service to ascertain if they have any problems with the operation proceeding as submitted.

Until the consultation process is completed, you shall be restricted to the currently disturbed area, plus you may expand the operation into undisturbed Morrison Formation outcrops, as long as the Cedar Mountain Formation outcrops are left undisturbed. The conditions outlined in our letter to Stan Jackson and Associates dated October 29, 1991, shall apply.

In addition, Western Clay Company shall inform the San Rafael Resource Area office of any further disturbance outside the access road between the county road and the mine within 24 hours of the occurrence. If the disturbance is not considered to be justifiable or reported within the 24-hour period, the operator shall be cited with a notice of noncompliance.

We have inspected the site included in Notice U67-N91-14 and since no disturbance has occurred at this site, we have determined that no reclamation is required and the case file on notice U67-N91-14 is closed.

If you have any questions, please feel free to contact Neil Simmons of my staff at 801-637-4584.

Sincerely yours,
PENELOPE J. SMALLEY

Area Manager

cc: Bryant Anderson, Emery County
Holland Shepherd, UDOGM
Stan Jackson & Associates
699 West 300 North
Richfield, UT 84701

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